

W.R.C.
ORIGINAL

ARTHUR K. ROSS, ESQ.
 126 Queen St., Suite 210
 Honolulu, HI 96813
 Phone: (808) 521-4343

FILED IN THE
 UNITED STATES DISTRICT COURT
 DISTRICT OF HAWAII

FEB 26 2006

at 3 o'clock and 15 min M
 SUE BEITIA, CLERK



JACK SCHWEIGERT, ESQ.
 550 Halekauwila Street, Room 309
 Honolulu, HI 96813
 Phone: (808) 533-7491
 Facsimile: (808) 533-7490

RORY SOARES TOOMEY, ESQ.
 1088 Bishop Street, Suite 1004
 Honolulu, HI 96813
 Phone: 533-7162

Attorneys for Plaintiff

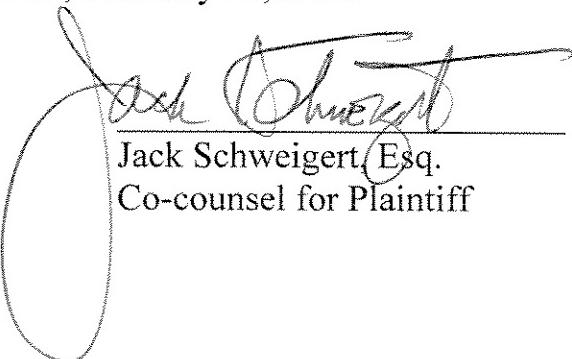
UNITED STATES DISTRICT COURT
 DISTRICT OF HAWAII

OFELIA COLOYAN,) CIV. NO. 03-476 KSC
)
Plaintiff,)
vs.)
WILLIAM BADUA,) PLAINTIFF'S PROPOSED
JEFFERY OMAI,) VOIR DIRE QUESTIONS;
SPENCER ANDERSON,) CERTIFICATE OF SERVICE
NEIL PANG,)
and DOES 5-10;)
)
) Trial: March 14, 2006
<u>Defendants.</u>)

PLAINTIFF'S PROPOSED VOIR DIRE QUESTIONS

COMES NOW PLAINTIFF OFELIA COLOYAN by and through counsel and submits the attached proposed voir dire questions to the prospective jurors in the above-referenced case pursuant to Fed.R.Civ.P.47 and LR16.8(b).

DATED: Honolulu, Hawaii; February 28, 2006.



Jack Schweigert Esq.
Co-counsel for Plaintiff

PLAINTIFF'S PROPOSED VOIR DIRE QUESTIONS

1. Have you ever served on a jury? Please explain.
2. Do you think it is "fair" or "unfair" that you should serve for jury service, even though you may have other pressures on you such as work, mortgage payments, kids in school, length of time, and things of that sort?
3. Do you think there is any reason that would detract from your ability to give full attention to your duties as a juror to this trial?
4. Suppose this case takes more time than expected, Would you rush through the verdict and just vote, or would you take your time and give it your best effort to be sure you give input to the rest of the jury in deliberation?
5. If you consider yourself a "shy" person, would you be able to make yourself be heard in jury deliberation ?
6. Are you or any member of your family presently working for, or in the past have worked for, a branch of law enforcement? If so, please explain.
7. If you or a member of your family are presently working for, or in the past have worked for, a branch of law enforcement, could you rule against someone who works for law enforcement?
8. Do you understand the principle "all people are equal in a court of law"? Explain your understanding of this principle.
9. Would you tend to believe the testimony of a policeman over the testimony of a civilian? Please explain.
10. Have you ever been cited for speeding? Do you think you were "fairly" or "unfairly" by police? Please explain.
11. What generally are your first thoughts and actions when out of nowhere you come upon a police officer off the side of the road who is pointing a radar gun at you?

12. Do you feel that you have ever been treated unfairly by the police for any reason? Please explain.
13. Do you know anyone who you think has been wrongfully arrested or searched by the police? If so, please explain.
14. Do you have any strong feelings one way or the other regarding the Honolulu Police Department? Please explain.
15. Have you ever had your driver's license revoked? If so, do you feel that you were fairly or unfairly treated by the police?
16. Do you think that police office officers should be entitled to prevail in a lawsuit simply because they are police officers?
17. Do you believe police officers are any more likely to tell the truth because they are police officers as opposed to any other witness?
18. If you believe the evidence in this case favors a verdict for the Plaintiff, would you have any hesitation about rendering a verdict for Plaintiff, even though this verdict would go against police officers?
19. Do you believe that some police officers will cover up for the wrong doings of other police officers? Please explain.
20. Do you believe some police officers abuse their power and get away with it just because they are police officers?
21. Are you aware of the 4th Amendment to the U.S. Constitution that reads as follows: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."
22. Do you agree with this Amendment to the Constitution? Please explain.

23. Do you believe the government has been using "September 11, 2001" and the threat of terrorism to whittle away at our constitutional rights? Please explain.
24. Do you believe the police should be able to search a person's home without a search warrant and without their consent? Please explain.
25. Do you believe if a police officer did not have a valid search warrant and went ahead and searched the a person's home over the home owner's objection, that would be significant enough wrongdoing to warrant your verdict in the home owner's favor?
26. Do you believe if a police officer did not have a valid search warrant and went ahead and searched the a person's home over their objection that you could award a money judgment against that police officer?
27. Have you ever been searched or had your house searched by the police? If so, please explain.
28. Do you know anyone who has ever had their house searched by the police? If so, please explain.
29. Have you ever been detained by police? If so, please explain.
30. Punitive damages are meant to punish a wrongdoer, as opposed to other damages which are meant to generally compensate a person for one's injury. Could you award punitive damages against a police officer should his conduct be shown to willful, wanton, and/or in reckless disregard of constitutional rights? Please explain.

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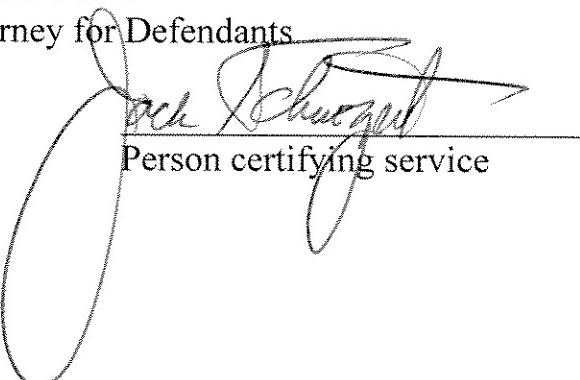
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vs. Plaintiff,) CERTIFICATE OF SERVICE
vs.)
WILLIAM BADUA,)
JEFFERY OMAI,)
SPENCER ANDERSON,)
NEIL PANG,)
and DOES 5-10;)
Defendants.)

CERTIFICATE OF SERVICE

The below-signed hereby certifies that on February 28, 2006 one copy of the attached document was served on the below individual by hand delivery at the address indicated below:

Kendra K. Kawai, Esq.
Deputy Corporation Counsel
530 S. King Street, Room 110
City & County of Honolulu
Honolulu, HI 96813

Attorney for Defendants


Person certifying service